



Docket No.: M4065.0383/P383
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Kie Y. Ahn, et al

#9/B(NE)
D-REVALS
6-5-03

Application No.: 09/835,643

Group Art Unit: 2826

Filed: April 17, 2001

Examiner: L. Andujar

For: LOW-LOSS COPLANAR WAVEGUIDES
AND METHOD OF FABRICATION

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT AND
AMENDMENT UNDER 37 CFR 1.116

Box AF
Commissioner for Patents
Washington, DC 20231

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MAY 29 2003

TECHNOLOGY CENTER 2800

Dear Sir:

In response to the Office Action dated March 19, 2003 (Paper No. 7), finally rejecting claims 1-3, 10, and 11, please amend the above-identified U.S. patent application as follows:

Amendments to the Claims are reflected in the list of claims which begins on page 2 of this paper.

Response to Election/Restriction Requirement begins on page 12 of this paper.

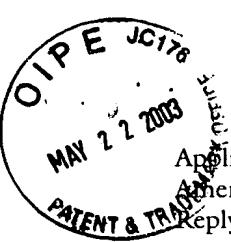
Remarks begin on page 13 of this paper.

05/27/2003 KZEW DIE 00000031 09835643

01 FC:1201

588.00 OP

07/17/2003: DEWMS 00000031 041073 09835643
07/17/2003: DEWMS 00000031 041073 09835643
168.00 CH
168.00 CH



Application No.: 09/835,643
Amendment dated May 22, 2003
Reply to Office Action of March 19, 2003

Docket No.: M4065.0383/P383

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

In the Office Action dated March 19, 2003 (Paper No. 7), the Examiner stated that “claims 92-109 are directed to an invention that is independent or distinct from the originally claimed invention for the following reasons: new claims 92-109 are directed to two different and patentable species from the originally elected group in paper no. 4, now species 1. Claims 92-105 are directed to species 2 and claims 106-109 are directed to species 3.” (Office Action at 2). The Examiner also withdrew claims 92-109 from consideration as being directed to a non-elected invention. Applicants elect species 1 with traverse.

Applicants respectfully direct the Examiner’s attention to MPEP § 803, which provides that “[i]f the search and examination of an entire application can be made without serious burden, the examiner must examine it on its merits, even though it includes claims to independent or distinct inventions.” (emphasis added). Claims 1-44 and 92-109 all relate to a method of forming a coplanar waveguide, defining closely related subject matter. New independent claim 110 highlights the close relationship of the subject matter of species 1, 2, and 3. New claim 110 recites all limitations of claim 1, as well as all limitations of claim 92. Moreover, independent claim 106 includes all limitations of independent claim 92, which is generic to species 2 and 3. Thus, even if claims 1-44, 92-105, and 106-109 would be directed to independent or distinct inventions, it is clear that the search and examination of the entire application can be made without serious burden.

In view of the above, the election requirement should be withdrawn and all claims 1-44 and 92-110 should be examined.



AMENDMENT TRANSMITTAL LETTER

Docket No.
M4065.0383/P383

Application No.
09/835,643-Conf. #4830

Filing Date
April 17, 2001

Examiner
L. Andujar

Art Unit
2826

Applicant(s): Kie Y. Ahn, et al

Invention: LOW-LOSS COPLANAR WAVEGUIDES AND METHOD OF FABRICATION

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	45	- 62 =		x	0.00
Independent Claims	12	- 5 =	7	x 84.00	588.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					588.00

Large Entity

Small Entity

No additional fee is required for this amendment.

Please charge Deposit Account No. _____ in the amount of \$ _____. A duplicate copy of this sheet is enclosed.

A check in the amount of \$ _____ to cover the filing fee is enclosed.

Payment by credit card. Form PTO-2038 is attached.

The Commissioner is hereby authorized to charge and credit Deposit Account No. 04-1073 as described below. A duplicate copy of this sheet is enclosed.

Credit any overpayment.

Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

Thomas J. D'Amico

Attorney Reg. No.: 28,371

DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP
2101 L Street NW
Washington, DC 20037-1526
(202) 828-2232

Dated: May 22, 2003

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PTO/SB/17 (01-03)

Approved for use through 04/30/2003. OMB 0651-0032

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FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 588.00)

Complete if Known

Application Number	09/835,643-Conf. #4830
Filing Date	April 17, 2001
First Named Inventor	Kie Y. Ahn
Examiner Name	L. Andujar
Group Art Unit	2826
Attorney Docket No.	M4065.0383/P383

METHOD OF PAYMENT (check all that apply)

<input type="checkbox"/> Check	<input checked="" type="checkbox"/> Credit Card	<input type="checkbox"/> Money Order	<input type="checkbox"/> Other	<input type="checkbox"/> None
<input checked="" type="checkbox"/> Deposit Account				

Deposit Account Number 04-1073

Deposit Account Name Dickstein Shapiro Morin & Oshinsky LLP

The Commissioner is hereby authorized to: (check all that apply)

- Charge fee(s) indicated below Credit any overpayments
- Charge any additional fee(s) during the pendency of this application
- Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1051	130	2051	65	Surcharge - late filing fee or oath
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet
1053	130	1053	130	Non-English specification
1812	2,520	1812	2,520	For filing a request for ex parte reexamination
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action
1251	110	2251	55	Extension for reply within first month
1252	410	2252	205	Extension for reply within second month
1253	930	2253	465	Extension for reply within third month
1254	1,450	2254	725	Extension for reply within fourth month
1255	1,970	2255	985	Extension for reply within fifth month
1401	320	2401	160	Notice of Appeal
1402	320	2402	160	Filing a brief in support of an appeal
1403	280	2403	140	Request for oral hearing
1451	1,510	1451	1,510	Petition to institute a public use proceeding
1452	110	2452	55	Petition to revive - unavoidable
1453	1,300	2453	650	Petition to revive - unintentional
1501	1,300	2501	650	Utility issue fee (or reissue)
1502	470	2502	235	Design issue fee
1503	630	2503	315	Plant issue fee
1460	130	1460	130	Petitions to the Commissioner
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)
1806	180	1806	180	Submission of Information Disclosure Stmt
8021	40	8021	40	Recording each patent assignment per property (times number of properties)
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))
1801	750	2801	375	Request for Continued Examination (RCE)
1802	900	1802	900	Request for expedited examination of a design application

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0.00)

** or number previously paid, if greater; For Reissues, see above

SUBMITTED BY		Complete (if applicable)		
Name (Print/Type)	Thomas J. D'Amico	Registration No. (Attorney/Agent)	28,371	Telephone (202) 828-2232
Signature			Date	May 22, 2003